

Notice of Allowability

Application No.

09/885,902

Examiner

Kuen S. Lu

Applicant(s)

MASTERS, GRAHAM S.

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/21/2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

After a thorough search and examination of the present application, and in light of the prior art made of record, update searches conducted and Applicant's Appeal Brief filed November 21, 2005, Claims 1-20 are allowed.

Reason for Allowable

4. The following is an examiner's statement of reasons for allowance:

In the Examiner's Office Action for Final Rejection of July 20, 2005, 35 U.S.C. § 102, rejections was based on the reference of Wheeler et al. (U.S. Patent 6,738,759 "SYSTEM AND METHOD FOR PERFORMING SIMILARITY SEARCHING USING POINTER OPTIMIZATION", issued on May 18, 2004, hereafter "Wheeler") and 35 U.S.C. § 103, rejections was based on the Wheeler reference in view of Weiss et al. (U.S. Patent Application Publication 2002/0138487 A1, "METHOD AND SYSTEM FOR MAPPING AND SEARCHING THE INTERNET AND DISPLAYING THE RESULT IN A VISUAL FORM", filed on March 22, 2001, hereafter "Weiss").

In the Remarks filed on May 16, 2005, the Applicant specifically pointed out that the Wheeler reference does not anticipate the subject matter of establishing search criteria based on keyword match and document attribute match to score and rank the result, as disclosed in each of independent claims 1, 13 and 17.

After further review of the search results previously conducted and consideration of the above Remarks, Appeal Brief and currently amended claims, the Examiner is convinced that the prior art made of record does not teach the subject matter combined in the elements of every independent claim.

An expanded and update search for the prior arts on EAST database and on domains (NPL-ACM, Google, NPL-IEEE, NPL-STIC) has been conducted whose search logs are attached. The prior arts searched and investigated in the database and domains produced more than 200 potentially useful references. After reviewing the 200+ references, one reference (U.S. Patent 6,598,046, "SYSTEM METHOD FOR RETRIEVING DOCUMENTS RESPONSIBLE TO A GIVEN USER'S ROLE AND SCENARIO", issued to Goldberg et al. on July 22, 2003) was revealed disclosing the teaching of conducting search based on document having metadata defined by a predetermined tag and corresponding value to match with user's role and scenario. However, the reference still lacks the teaching of the claimed subject matter of establishing search criteria based on keyword match and document attribute match to score and rank the result, specifically, the establishment of search criteria based on document attribute.

The dependent claims 2-12, 14-16 and 18-20, depending claims 1, 13 and 17, respectively, also distinct from the prior art for the same reason.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

6. Any inquiry concerning this communication or earlier communications from the

Art Unit: 2167

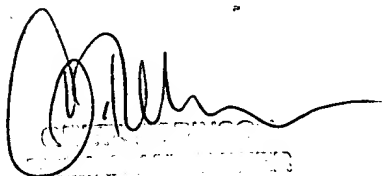
Examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am - 5:30 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact he Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu,

Patent Examiner,

January 10, 2006

A handwritten signature in black ink, appearing to read 'K. S. Lu', with a large, stylized initial 'K' and a long horizontal flourish extending to the right.